

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Municipal Administration & Urban Development Department - Palasa Kasibugga Municipality – Allotment of shops to lower bidders leaving the higher bidders by Municipal Council Palasa Kasibugga – Cancellation of Council Resolution Nos.955 & 956, Dt.28.08.2007 – Orders Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT(J1) DEPARTMENT

G.O.Ms.No. 708

Dated: 11.12.2009.

Read the following:-

1. From the District Collector, Srikakulam, Lr.No.747/2007 H3, Dated:14.03.2008.
2. Govt. Memo No.5199/J1/2008-1, Dt:28.03.2008.
3. From the Commissioner & Director of Municipal Administration, A.P., Hyderabad Lr.No.20129/07/N1, Dated:22.04.2008.
4. From the Commissioner & Director of Municipal Administration, A.P., Hyderabad Lr.No.20129/07/N1, Dated:18.09.2008.
5. Govt. Memo No.5199/J1/2008, Dt:16.12.2008.
6. From the Chairperson, Palasa Kasibugga Municipality, explanation Dt.25.04.2009.
7. Orders of High Court of A.P. Dt.09.11.2009 in WP.Nos.5673,8421,9018,9297 and 1793/2009

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ORDER

Whereas, the District Collector, Srikakulam in his letter 1st read above has submitted proposal for cancellation of Council Resolution Nos.955 & 956, Dt.28.08.2007 under section 59 of A.P. Municipal Act, 1965 since the Council has resolved to allot shop rooms for lower bidders leaving higher bidders causing financial loss to the Municipality. Some of the higher bidders have also filed WPs before the Hon'ble High Court for allotment of shops to the highest bidders. The Commissioner and Director of Municipal Administration has also requested the Government to issue necessary orders in the matter.

2. And whereas, Government after careful examination of the matter is of the opinion that it is appropriate to cancel the Council Resolution Nos.955 & 956, Dt.28.08.2007 of the Palasa Kasibugga Municipality by exercising powers under Section 59 of A.P. Municipal Act, 1965 as the said resolutions are contrary to the public interest.

3. And whereas, a show cause notice has been issued to the Chairperson, Palasa Kasibugga Municipality in the reference 5th read above, to explain within 15 days from the date of receipt of this notice as to why the Council Resolution Nos.955& 956, Dt.28.08.2007 of the Palasa Kasibugga Municipality, should not be cancelled.

4. And whereas, the explanation has been received from the Chairperson, Palasa Kasibugga Municipality in the reference 6th read above, and the same has been examined and there are no new grounds put forth in the explanation submitted by the Chairperson, and as such the explanation deserves no consideration.

5. Government after having examined the entire matter carefully, with reference to the proposal of the Collector, Srikakulam and also keeping view the orders of High Court of A.P. vide reference 7th read above, decided to cancel the said Council Resolution Nos.955 & 956, Dt.28.08.2007 of the Palasa Kasibugga Municipality as the said resolutions are contrary to the public interest.

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6. Now, therefore, in exercise of the powers conferred under Section 59 of A.P. Municipal Act, 1965, Government hereby cancel the Council Resolution Nos.955 & 956, Dt.28.08.2007 of Palasa Kasibugga Municipality, with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PUSHPA SUBRAHMANYAM
SECRETARY TO GOVERNMENT

To
The Chairperson, Palasa Kasibugga Municipality,
Palasa, Srikakulam District.
Copy to:
The Collector, Srikakulam District.
The Commissioner and Director of Municipal Administration,
Hyderabad.
The Municipal Commissioner, Palasa Kasibugga Municipality.
The P.S to M(MA).

//FORWARDED BY ORDER//

SECTION OFFICER